



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Application Number</b>	10/618,155		
	<b>Filing Date</b>	July 11, 2003	
	<b>First Named Inventor</b>	Jaime Poris	
	<b>Art Unit</b>	2813	
	<b>Examiner Name</b>	Erik J. Kielin	
<b>Total Number Of Pages In This Submission</b>	2 pages	<b>Attorney Docket No.</b>	NAN068 US

## ENCLOSURES (check all that apply)

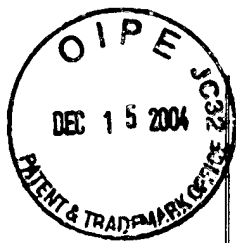
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Response to Restriction Requirement (1 page)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> )
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): * Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

<b>Firm or Individual Name</b>	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
<b>Signature</b>	
<b>Date</b>	December 15, 2004

Express Mail Label No.: EV 450 194 398 US

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.



12.17.04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Jaime Poris,  
Assignee: Nanometrics Incorporated.  
Title: Accurate Thickness Measurement of Thin Conductive Film  
Serial No.: 10/618,155 Filing Date: July 11, 2003  
Examiner: Erik J. Kielin Group Art Unit: 2813  
Docket No.: NAN068 US Confirmation No.: 4143

Santa Clara, California  
December 15, 2004

Ms Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In Response to the Office Action dated December 2, 2004, Applicant elect without traverse to have the invention of Group I, Claims 1-10, examined. In addition, Applicant elect species A-2 directed to Claim 7. Please withdraw from consideration Claims 11-19, which are drawn to the invention of Group II. Applicants reserve the right to seek examination of the invention of Group II in a divisional application.

It is believed that no fees are due. Nevertheless, if the Patent Office determines that an extension and/or other relief is required, Patent Owner petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing of this document to **Deposit Account No. 50-2263** referencing NAN068 US.

Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8202.

**Via Express Mail Label No.  
EV 450 194 398 US**

Respectfully submitted,

Michael J. Halbert  
Attorney for Applicants  
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